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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,640	02/05/2004	Yihsiu Chen	61922-00011USPT	7637
26652	7590	01/11/2008	EXAMINER	
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			ZAIDI, SYED	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			01/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/773,640

Applicant(s)

CHEN ET AL.

Examiner

Syed Zaidi

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) ✓  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Response to Arguments**

Applicant's arguments filed October 17, 2007 have been fully considered but they are moot, with respect to the rejection of claims 1-9. In view of new grounds of rejection been presented in this office action as such may response to applicant's argument is moot.

Claims # 1-6 and 8 have been amended.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1-9** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Nix et al.** (US Patent. # US 7,145,900 B2) in view of **Minert et al.**, (U.S.Publication Number: 2002/0141386 A1).

**Consider claim 1, Nix et al.** clearly show and disclose a method for call control, the method comprising a plurality of steps comprising: receiving a call at a communications device (column 3 lines 60-67 and also column 4, lines 20-23), the call being routed over at least one IP network (column 11 lines 44-48, fig # 13 (1304 a, b; 1306, 1308) controlling the call using an IP device (IP device is call server 404) (column 5 lines 37-50, fig # 13 1304 a,b; 1306, 1308) connected to the IP network via a control gateway (gateway 208 figure # 13 1308). However, **Nix et al.**, fail to disclose the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX phone destination.

In the same field of endeavor of **Minert et al.**, clearly show and disclose the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of

destinations, the plurality of destinations comprising a cell phone destination and a PBX, phone destination (paragraph 0026 lines 1-13, figure # 2, element 212, 222 and 216, 220 and figure # 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX phone destination as taught by of **Minert et al.**, with the method as disclosed by **Nix et al.**, for the purpose effectively queuing information by proper synchronous signaling within the network architecture.

**Consider claim 2, and as applied to claim 1 above, Nix et al.** as modified by **Minert et al.**, clearly show and disclose the method wherein the step of controlling the call further comprise: via the IP device, controlling a plurality of applications associated with the call using an SIP protocol (column 6 lines 43-52, column 8 lines 15-48 and fig # 16 (1604), the applications

comprising remote voice mail screening, call transfer to another phone, call logging, adding the call to an audio conference (column 7 lines 65-67, column 8 lines 1-4 and fig # 8), putting the caller at hold, remote call, hang up, ringing multiple phones on the incoming call, a screen pop up on a personal computer that indicates who is calling, providing a picture of the caller, managing a multiple devices and telephone numbers, controlling one button dialing from a phone and voice dialing control(column 12 line 56-67, column 13 line 1-52, figure # 15). However, **Nix et al.**, fail to disclose the providing a picture of the caller, managing a multiple devices and telephone numbers, controlling one button dialing from a phone and voice dialing control.

In the same field of endeavor of **Minert et al.**, clearly show and disclose the providing a picture of the caller, managing a multiple devices and telephone numbers, controlling one

button dialing from a phone and voice dialing control

(paragraph 0021 lines 3- 13, figure # 1 and figure # 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the providing a picture of the caller, managing a multiple devices and telephone numbers, controlling one button dialing from a phone and voice dialing control as taught by of **Minert et al.**, with the method as disclosed by **Nix et al.**, for the purpose effectively queuing information by proper synchronous signaling within the network architecture.

**Consider claim 3, and as applied to claim 1 above, Nix et al.** as modified by **Minert et al.**, clearly show and disclose the method wherein, the step of controlling the call further comprises: controlling the call using a protocol having a call control portion and a voice control portion (column 15 lines 14-30 and fig # 16 and 19), via the voice control portion, the IP device adapted to receive a voice command from a cell phone and determine a party to call from the voice command, the IP device adapted to cause an establishment of



a connection between the cell phone and the party. However, **Nix et al.**, fail to disclose the IP device adapted to receive a voice command from a cell phone and determine a party to call from the voice command, the IP device adapted to cause an establishment of a connection between the cell phone and the party.

In the same field of endeavor of **Minert et al.**, clearly show and disclose the IP device adapted to receive a voice (paragraph 0027 lines 1- 5) command from a cell phone and determine a party to call from the voice command, the IP device adapted to cause an establishment of a connection between the cell phone and the party (paragraph 0026 lines 1- 13, figure # 1, element 212, 222 and 216, 220 and figure # 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the the IP device adapted to receive a voice command from a cell phone and determine a party to call from the voice command, the IP device adapted to cause an establishment of a connection between the cell phone and the party as taught by of **Minert et al.**, with the method as disclosed by **Nix et al.**, for the purpose effectively

queuing information by proper synchronous signaling within the network architecture.

**Consider claim 4, and as applied to claim 1 above, Nix et al.** as modified by **Minert et al.**, clearly show and disclose the method wherein, the step of controlling further comprises: providing a service application under the control of the IP device, the service application adapted to transfer a call from a cell phone to a PBX phone (IP device is call server 404, column 5 lines 37-50 and fig # 20).

**Consider claim 5, Nix et al.** also clearly show and disclose a system for call control, comprising: a control gateway (column 11 lines 44-48 and gateway, 1308, figure # 13) providing control access to an IP network; at least one IP device (call server 404, figure # 4) configured to the control gateway, said IP device configured to control a call (column 11 lines 44-48 and figure # 13 (1304, a, b). However, **Nix et al.**, fail to disclose the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of

destinations comprising a cell phone destination and a PBX phone destination.

In the same field of endeavor of **Minert et al.**, clearly show and disclose the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX, phone destination (paragraph 0039 lines 1-22, figure # 2, element 212, 222 and 216, 220 and figure # 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX phone destination as taught by of **Minert et al.**, with the method as disclosed by **Nix et al.**, for the purpose effectively queuing information by proper synchronous signaling within the network architecture.

**Consider claim 6, and as applied to claim 5 above, Nix et al.** as modified by **Minert et al.**, clearly show and disclose the system wherein, the IP device controls the call using an SIP protocol the IP device adapted to receive a particular number to be dialed from a personal computer client the personal computer client provide the number based upon the click. However, **Nix et al.**, fail to disclose the IP device controls the call using an SIP protocol the IP device adapted to receive a particular number to be dialed from a personal computer client the personal computer client provide the number based upon the click.

In the same field of endeavor of **Minert et al.**, clearly show and disclose the IP device controls the call using an SIP protocol the IP device (paragraph 0026 lines 1- 13, figure # 2) adapted to receive a particular number to be dialed from a personal computer client the personal computer client provide the number based upon the click (paragraph 0021 lines 10- 13, figure # 1, element 212, 222 and 216, 220 and figure # 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate

the IP device controls the call using an SIP protocol the IP device adapted to receive a particular number to be dialed from a personal computer client the personal computer client provide the number based upon the click as taught by of **Minert et al.**, with the method as disclosed by **Nix et al.**, for the purpose effectively queuing information by proper synchronous signaling within the network architecture.

**Consider claim 7, and as applied to claim 5 above, Nix et al.** as modified by **Minert et al.**, clearly show and disclose the system wherein, the IP device controls the call using a protocol having a call control portion and a voice control portion (column 15 lines 31-30 and fig # 20).

**Consider claim 8, and as applied to claim 5 above, Nix et al.** as modified by **Minert et al.**, clearly show and disclose the system wherein, the IP device provides a service application for controlling the call (column 15 lines 13-43 and fig # 20), the service application adapted to route the call both a voice mail system and to a personal

computer client, the service application adapted to connect the call to a PBX phone responsive to a request from the user indicative of a decision to pick up the call. However, **Nix et al.**, fail to disclose the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX phone destination.

In the same field of endeavor of **Minert et al.**, clearly show and disclose the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX, phone destination (paragraph 0026 lines 1-13, figure # 2, element 212, 222 and 216, 220 and figure # 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the IP device adapted to route the call over multiple parallel network call paths to ring a separate phone at each of a plurality of destinations, the plurality of destinations comprising a cell phone destination and a PBX phone destination as taught by of **Minert et**

al., with the method as disclosed by **Nix et al.**, for the purpose effectively queuing information by proper synchronous signaling within the network architecture.

**Consider claim 9**, and as applied to **claim 5** above, **Nix et al.** as modified by **Minert et al.**, clearly show and disclose the system wherein, the system further including a communications device (which is a target device 212) for receiving the call (Column 3 lines 60-67, fig # 13 (1312) and column 4, lines 20-23).

### **Conclusion**

#### **THIS ACTION IS MADE FINAL.**

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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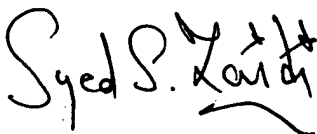
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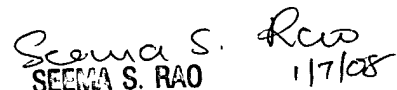
Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Syed Zaidi whose telephone number is (571) 270-1779. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Seema S. Rao can be reached on (571) 270-3174. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ customer service whose telephone number is (571) 272-2600.



Syed Zaidi  
S.Z/sz  
Jan 7<sup>th</sup> 2008.



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